

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

<b>UNITED STATES OF AMERICA,</b>	)	
	)	
	)	<b>2:02-cr-00174</b>
<b>v.</b>	)	
	)	
<b>ONDRE JONES,</b>	)	
<b>Defendant.</b>	)	

**MEMORANDUM ORDER**

Pending before the Court is DEFENDANT’S MOTION FOR RETURN OF ALLEGED OVERPAYMENT (ECF No. 113).

On August 28, 2002, Defendant was charged in two counts of a three-count criminal Indictment with the crimes of conspiracy to distribute a controlled substance and distribution and possession with intent to distribute less than one hundred (100) grams of heroin, which resulted in the death of a person. On July 9, 2003, Defendant pled guilty to both counts of the Indictment. He was thereafter sentenced to a term of 20 years’ imprisonment as to Counts I and II, to run concurrently, with five years of supervised release. As relevant here, he was also ordered to pay restitution in the amount of \$1,734.00, **jointly and severally**, with his co-defendant, Charles Alvin Jones.

According to the Clerk of Court, between 2005 and 2009, Defendant made \$1,734.89 in restitution payments. During that same period, his co-defendant made restitution payments in the amount of \$275.00. Because the total amount of restitution payments made by Defendant and his co-defendant exceeded the full amount of restitution due by \$275.89, the Clerk of Court returned that amount (\$275.89) to Defendant in the form of two checks sent to Defendant, c/o the Bureau of Prisons. Copies of the checks are attached to this Memorandum Order as “Exhibit 1”

and “Exhibit 2.” Because Defendant was jointly and severally liable with his co-defendant for the **full amount of restitution** (\$1,734.00), he is not entitled to receive any further “refunds” from the Clerk of Court. Accordingly, his motion is **DENIED**.

**SO ORDERED**, this 3<sup>rd</sup> day of February, 2014.

BY THE COURT:

s/ Terrence F. McVerry  
United States District Court Judge

cc: **Ondre Jones**  
068-07521  
Federal Correctional Institution  
P.O. Box 1000  
Loretto, PA 15940  
*Pro se*  
(via First Class mail)

**Troy Rivetti, AUSA**  
Email: [Troy.Rivetti@usdoj.gov](mailto:Troy.Rivetti@usdoj.gov)  
(via CM/ECF)